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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/776,285

02/12/2004

Koki Hayashi

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3511

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7590

07/11/2006

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
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EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/776,285	Applicant(s) HAYASHI ET AL.	
	Examiner Naghmeh Mehrpour	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 06 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed reference listed in the information Disclosure Submitted on 04/07/05. 06/05/06 have been considered by the examiner (see attached PTO-1449)

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-26**, are rejected under 35 U.S.C. 102(e) as being anticipated by Trossen (US publication 2004/0018841 A1).

Regarding claims 1, 6, 11, 20, 23, Trossen teaches a communication system/ method /mobile node for enabling a mobile node residing in a first communication network to communicate via a gateway with a communication distant node, comprising connection information control means for exchanging the connection information before handover and the connection information after handover between said mobile node and said

gateway, when said mobile node is moved to a second communication network (0012, 0013).

Regarding claims 2, 7, 12, 16, 19, Trossen teaches a communication system/method/mobile node according to claim 1, wherein said connection information control means comprises post-handover connection information transmitting means for transmitting the connection information after handover to said gateway at said mobile node, connection information associating means for receiving the connection information and associating it with the connection information before handover at said gateway, and connection information converting means for converting the connection information after handover transmitted from said mobile node into the connection information before handover to transmit the converted connection information to said communication distant node, and converting the connection information before handover transmitted from said communication distant node into the connection information after handover to transmit the converted connection information to said mobile node, based on said association result at said gateway (0015-0018, 0037, 0038).

Regarding claims 3, 8, 25, Trossen teaches a communication system/method/mobile node according to claim 1, wherein each of said mobile node and said gateway comprises a connection management module, in which said connection information

control means is composed of said two connection management modules (0012, 0013, 0030-0033).

Regarding claims 4, 9, 13, 22, Trossen teaches a communication system/method/mobile node according to claim 3, wherein said connection management module is located on the network layer, in which said connection information includes a transmission source IP address and a transmission destination IP address (0034, 0037).

Regarding claims 5, 10, 14, 17-18, 21, 26, Trossen inherently teaches a communication system/method/mobile node according to claim 3, wherein said connection management module is located on the transport layer, in which said connection information includes a transmission source IP address, a transmission destination IP address, a transmission source port number, a transmission destination port number and a kind of transport layer (0033-0038).

Response to Arguments

4. Applicant's arguments filed 01/06/06 have been fully considered but they are not persuasive.

In respond to the applicant's argument *that "Trossen does not teach that transfer from te mobile node to a gateway, as in the present application"*, the examiner asserts that Trossen as cited in the rejection of claim 1, on paragraph, 0012, and 0013, teaches a

user of a mobile node MN1 moving along a road and utilizing a streaming application with a specific bandwidth. Through the specified potential next access router discovery the capability of the selected target access router to support said bandwidth may be verified. However, before the initiation of the network layer handover of the mobile node MN1, another mobile node MN2 may have already been handed off to the selected target access router, and the resulting available bandwidth in the access router is lower than what is necessary for a successful continuation of the ongoing session in the mobile node MN1. The result of such a situation is degradation or even teardown of the session of MN1 at handover. As another example, a user of a mobile node moving along a certain road, and crossing a sequence of access routers and administrative domains. Somewhere along this route the user may also need to cross a technology boundary from 2 G to 3 G, which means that a specific transcoding functionality is needed because of the different bandwidth capabilities of the traversed networks. However, it is possible that at the time of the actual handover the transcoding functionality is no longer available for the mobile node. It is also possible that the discovery of the transcoding element may take too much time for the relocation to happen without disruption. In such a case, the handoff will severely disrupt the active service. In addition Trossen further does teach in FIG. 2, that the received application context information is stored in the current access router 114. In step 2-3, the mobile node 111 generates a triggering message for initiating the transfer of application context from the current access router 114 to a potential next access router 122. In this embodiment the two signals, the one (step 2-1) for delivering the

application context information to the current access router 114, and the one (step 2-3) for triggering the application context information from the current access router 114 to one or more potential next access routers are shown as separate signalling events initiated by the mobile node 111. Furthermore, it is anticipated that the time elapsed between the two signalling events (2-1, 2-3) changes dynamically according to the state of the mobile node, i.e. it is dependent on the actual behaviour of the user, as well as on the implementation-specific settings of the network on how it is configured to respond to the behaviour of the user by its mobility management functionality. It is also possible that the two signals are combined, i.e. that the first signal (step 2-1) also acts as a trigger, and the application context information transfer from the current access router 114 is initiated in response of the received application context information from the mobile node 111.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any responses to this action should be mailed to:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913. The examiner can normally be reached on 8:00- 6:00.

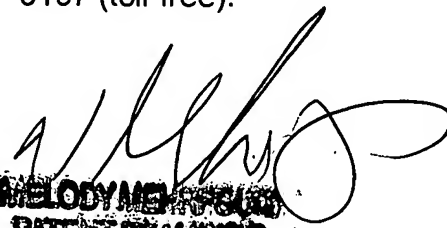
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro be reached (571) 272-7876.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

July 4, 2006



MELODYNE MEHROUR
PATENT EXAMINER